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09/845,429	04/30/2001	Robert L. Raymond	10992465-1	3412

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

NGUYEN, PHUOC H

ART UNIT

PAPER NUMBER

2143

DATE MAILED: 04/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/845,429	RAYMOND, ROBERT_L.
	Examiner	Art Unit
	Phuoc H. Nguyen	2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 10 December 2004.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-23,26-30,35,36 and 41-46 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-4,6-9,12,13,15,21-23,27-30,35,36 and 42-45 is/are rejected.
 7) Claim(s) 5,10,11,14,16-20,26,41 and 46 is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 30 April 2001 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This office action is in response to the amendment filed on December 10, 2004. Previous office action contained claims 1-40. Applicant amended claims 1-7, 9-15, 17-19, 21, 23, 26-30, 35-36, cancelled claims 24-25, 31-34, 37-40, and added claims 41-46. Amendment filed on December 10, 2004 have been entered and made of record. Therefore, pending claims 1-23, 26-30, 35, 36, and 41-46 are presented for further consideration and examination. The indicated allowability of claims 4, 5, 14-22, 26, 30, 36 and 40 is withdrawn due to the amendment filed on December 10, 2004 has broaden the claims than the original anticipated.

Response to Arguments

2. Applicants' arguments with respect to currently amended claims 1-23, 26-30, 35, 36, and 41-46 have been considered but are moot in view of the ground(s) rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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4. Claims 1-4, 6-9, 12, 13, 15, 21-23, 27-30, 35, 36, and 42-45 rejected under 35 U.S.C. 102(e) as being Cookmeyer, II et al. (Hereafter, Cookmeyer) by U.S. Patent 6,529,954.

5. Regarding claims 1 and 35, Cookmeyer discloses a troubleshooting mentor system for automatically providing an administrator of a computing environment with diagnostic data and instructions to troubleshoot a problem event occurring in an entity of the computing environment, wherein said diagnostic data and instructions provide information and techniques relevant to enabling the administrator to troubleshoot said problem event, wherein subsequent to said occurrence of said problem event, said troubleshooting mentor system retrieves said diagnostic data from said computing environment entity (col. 5 lines 23-29 and 40-44; and col. 14 lines 37-40).

6. Regarding claim 2, Cookmeyer further discloses troubleshooting mentor system retrieves said relevant diagnostic data from said computing environment entity in response to the system administrator indicating to the troubleshooting mentor system a desire to troubleshoot said problem event (col. 5 lines 23-39; col. 12 lines 51 through col. 13, lines 2).

7. Regarding claim 3, Cookmeyer further discloses selected problem event is one of a plurality of problem events generated by at least one domain manager in the computing environment, each said at least one domain manager managing an entity on the computing environment (col. 19 lines 60 through col. 20 lines 41).

8. Regarding claim 4, Cookmeyer further discloses a problem event processor operable to cause a display of said plurality of problem events that have occurred, and to determine which of a plurality of troubleshooting types corresponds to said selected problem event, and a troubleshooting profile manager operable to execute a predetermined troubleshooting profile

associated with said troubleshooting type of said selected problem event (Figures 25-27; col. 25 lines 14-50).

9. Regarding claim 6, Cookmeyer further discloses network managers configured to manage individual and collections of networks, software application managers configured to manage software applications executing on a node or server of the computing environment, database managers configured to manage databases executing on a node or server of the network system, and server managers configured to assist a network administrator manage operations of each server in a network (col. 5 lines 23-39; col. 6 lines 11-13; col. 7 lines 25-37; and col. 25 lines 37-43).

10. Regarding claim 7, Cookmeyer further discloses problem event processor is further operable to normalize said plurality of problem events for display (col. 19 lines 66 through col. 20 lines 29).

11. Regarding claim 8, Cookmeyer further discloses event-type-specific information is displayed in accordance with viewpoint layout information included in said selected troubleshooting profile (col. 19 lines 66 through col. 20 lines 29).

12. Regarding claim 9, Cookmeyer further discloses problem events automatically-generated by said at least one domain manager, and problem events identified by a user of the computing environment and manually entered into said troubleshooting mentor system (col. 21 lines 23-55).

13. Regarding claim 12, Cookmeyer further discloses an event consolidator operable to receive problem events from domain managers, said problem events generated by different domain managers having different formats, said event consolidator operable to process said problem events and, in response to each received problem event, to generate a normalized event

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identifier having a standard format (Figures 14 and 15), and an event type determinator operable to categorize received problem events as being one of a plurality of troubleshooting types, each said troubleshooting type indicating diagnostic data and troubleshooting procedures likely to be required to be performed or analyzed to successfully troubleshoot each said problem event, and to generate said troubleshooting type for said selected problem event (col. 19 lines 66 through col. 20 lines 29).

14. Regarding claim 13, Cookmeyer further discloses an event consolidator operable to receive problem events from domain managers and that generate a representation of the selected problem event, said representation including said troubleshooting type (Figures 10 A,B).

15. Regarding claim 15, Cookmeyer further discloses troubleshooting profile is an extensible, executable software program that is operable to invoke a predetermined combination of at least one of said one or more data miners that generate or cause the generation of context-sensitive troubleshooting data and instructions to assist the administrator diagnose and correct the cause of said selected problem event (col. 23 lines 15-60).

16. Regarding claim 21, Cookmeyer further discloses software programs operable to mine data from said at least one domain manager, software programs operable to access knowledge databases provided by a customer of the computing environment, and software programs operable to call or invoke system utilities and tools that, when executed, generate said diagnostic data (col. 5 lines 23-38).

17. Regarding claim 22, Cookmeyer further discloses computing environment comprises a distributed network system (Figure 2).

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18. Regarding claim 23, Cookmeyer discloses displays context-sensitive information to facilitate the troubleshooting of a particular problem event which has occurred in an entity of a computing environment, wherein said troubleshooting information comprises instructions for troubleshooting said particular problem event and diagnostic data retrieved from at least the entity in which the problem event has previously occurred, and wherein said context-sensitive troubleshooting information is generated automatically and without network administrator action subsequent to identifying said particular problem event (Figure 9; col. 5 lines 23-29 and 40-44; col. 14 lines 37-40; and col. 21 lines 38-55).

19. Regarding claim 27, Cookmeyer discloses retrieving, from the entity of the computing environment in which the problem event has occurred, contextual diagnostic data relevant to troubleshooting the particular problem event, and displaying said diagnostic data on a display device (Figures 19,20, and 21; col. 22 lines 51 through col. 23, 1st paragraph).

20. Regarding claim 28, Cookmeyer further discloses receiving a plurality of problem events each generated by a domain manager residing in the computing environment, storing said received problem events in a repository of problem events that have occurred in the computing environment, displaying a representation of said plurality of stored problem events in an interactive display, receiving an indication that one of the plurality of problem events is said particular problem event (Figures 19,20, and 21; col. 23, lines 52-60; and col. 24 lines 12-27).

21. Regarding claim 29, Cookmeyer further discloses determining which type of problem event is said selected problem event, and determining which troubleshooting diagnostic data to display based on said type of said selected problem event (col. 22 lines 51 through col. 23 lines 14; and col. 25 lines 37-43).

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22. Regarding claims 30 and 36, Cookmeyer further discloses providing a database of troubleshooting data miner modules, each said troubleshooting data miner module generating or causing the generation of diagnostic data or instructions related to a particular network entity or function (col. 22 lines 51 through col. 23, 1st paragraph).

23. Regarding claims 42 and 45, Cookmeyer further discloses generating a database of troubleshooting profiles (e.g. problem type such as in Figures 10(A,B)) each referencing a predetermined one or more troubleshooting data miner module to display diagnostic data and troubleshooting instructions pertinent to a particular type of problem event (col. 22 lines 51 through col. 23 lines 14; and col. 25 lines 37-43).

24. Regarding claim 43, Cookmeyer further discloses retrieving from said database of troubleshooting profiles a troubleshooting profile associated with said type of said selected problem event (Figures 10(A,B)).

25. Regarding claim 44, Cookmeyer further discloses invoking said retrieved troubleshooting profile and said one or more troubleshooting data miner modules referenced (col. 22 lines 51 through col. 23 lines 14; and col. 25 lines 37-43).

Allowable Subject Matter

26. Claims 41,26, and 46 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

27. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Adriaans et al. U.S. Patent 6,393,387

Skaaning et al. U.S. Patent 6,535,865

28. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuoc H. Nguyen whose telephone number is 571-272-3919. The examiner can normally be reached on Mon -Thu (7AM-4: 30PM) and off every other Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Phuoc H. Nguyen
Examiner
Art Unit 2143

March 24, 2005



DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100